

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 AUBREY V. TAYLOR,

10 Plaintiff,

11 v.

C19-0234 TSZ

12 ERIC TUNG; KENT POLICE
13 DEPARTMENT; and CITY OF KENT,

MINUTE ORDER

14 Defendants.

15 The following Minute Order is made by direction of the Court, the Honorable
16 Thomas S. Zilly, United States District Judge:

17 (1) Plaintiff Aubrey V. Taylor's motion to reopen this case, docket no. 43, is
18 DENIED. By Order entered May 13, 2020, docket no. 36, the Court adopted the Report
19 and Recommendation, docket no. 31, of the Honorable Mary Alice Theiler, United States
20 Magistrate Judge, and dismissed this action with prejudice. On May 15, 2020, plaintiff
21 filed a "Request to Appeal," docket no. 38, but because plaintiff did not timely complete
22 a Prisoner Authorization Form, which would permit prison officials to collect, in monthly
23 increments, the amount of the filing fee for appeal, the appeal was dismissed for failure to
 prosecute. See 9th Cir. Order (docket no. 42). Plaintiff moved, in the Ninth Circuit, to
 reinstate the appeal, but failed to provide the requisite Prisoner Authorization Form, and
 the Ninth Circuit indicated, by Order filed August 30, 2022, that it would not entertain
 plaintiff's motion. For unknown reasons, the service copy of the August 2022 Order,
 which was addressed to plaintiff at the United States Penitentiary in Atwater, California,
 was returned to the Ninth Circuit in September 2022 as undeliverable. To the extent that
 plaintiff wishes to proceed with the previously dismissed appeal, he must seek relief from
 the United States Court of Appeals for the Ninth Circuit.

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of record, to plaintiff pro se, and to the United States Court of Appeals for the Ninth Circuit.

Dated this 14th day of November, 2024.

Ravi Subramanian
Clerk

s/Laurie Cuaresma
Deputy Clerk